

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

ALFRED K. CLOKE, III,	:	NO. 1:11-CV-00465
	:	
Plaintiff,	:	
	:	
vs.	:	<b>ORDER</b>
	:	
HERB ADAMS, et al.,	:	
	:	
Defendant.	:	

This matter is before the Court on the Magistrate Judge's Report and Recommendation (doc. 11), to which there were no objections.

Proper Notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. United States v. Walters, 638 F.2d 947 (6<sup>th</sup> Cir. 1981). As of the date of this Order, no objections have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation thorough, well-reasoned, and correct. The Court notes that Plaintiff filed a pro se motion "to stay this case until the . . . Motion to Amend is heard on case 1:09-CV-660" (doc. 13). On February 14, 2102 Chief Judge Susan Dlott denied such Motion to Amend, thus rendering the motion to stay moot.

Accordingly, the Court hereby ADOPTS and AFFIRMS the Magistrate Judge's Report and Recommendation (doc. 11) in all respects, DENIES Plaintiff's Motion to Stay as moot (doc. 13), GRANTS Defendants' Motion to Dismiss (doc. 7), and DISMISSES this matter from the docket.

SO ORDERED.

DATED: February 16, 2012

s/S. Arthur Spiegel  
S. Arthur Spiegel  
United States Senior District Judge